

cation concerning a claim against the State for cotton destroyed. The communication was referred to the Committee on Finance.

Senator McNealus sent up a petition from Shreveport.

Senator Cousins sent up a petition from Shreveport.

Committee Reports

Committee Room,
Austin, Texas, June 11, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Town and City Corporations have had under consideration

S. B. No. 98, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters, or attempted to adopt or amend charters since the 13th day of March, 1919, under Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature of 1913, and validating all proceedings had by city councils or city commissions, or other governing authorities of such cities, in regard to the adoption of charters or amendments to charters, and conferring upon and delegating to said cities the powers enumerated in any such charters or amendments thereto, and declaring an emergency."

And I am directed by said committee to report said bill back to the Senate with the recommendation that it do pass, and be not printed.

Davidson, Hertzberg, Page, Bailey.

Committee Room,
Austin, Texas, June 11, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred House Bill No. 4 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed, but be printed in the Journal.

ALDERDICE, Chairman.

By Beard. H. B. No. 4.

A. BILL
to be entitled.

An Act to amend Chapter 14, Section 2781, Revised Civil Statutes of

1911, relating to the salaries of teachers so as to remove the limitations as to the amount to be paid teachers, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2781, Revised Civil Statutes of the State of Texas, 1911, be amended so as to hereafter read as follows:

Article 2781. Trustees in making a contract with a teacher shall determine the salary to be allowed or the wages to be paid. Provided a teacher holding a permanent State certificate shall not receive wages in excess of \$150 per month out of the public free school fund; a teacher holding a first grade certificate shall not receive as wages from the public free school fund more than \$125 per month, and a teacher holding a second grade certificate shall not receive as wages from the public free school fund more than \$100 per month.

Sec. 2. The fact that this is a Called Session of the Legislature and may adjourn at any time, and the further fact that many schools in this State cannot employ efficient teachers, owing to the maximum wage salary provided for teachers, creates an emergency and an imperative public necessity, requiring that the constitutional rule providing that bills be read on three several days in each House be suspended, and it is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Rider.

Amend the bill by adding at the end of Section 1, the following:

"Provided, however, that the above salaries may be supplemented in taxes levied for school purposes."

Amend the caption to conform to the bill.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas.

Saturday, June 12, 1920.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem A. C. Buchanan.

The roll was called, a quorum be-

ing present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Prayer by the chaplain, Rev. S. H. Morgan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Senators Excused.

Senator Strickland was excused for today for important business.

Senator Smith was excused for yesterday and the day before on important business.

Committee Reports.

See Appendix.

Bills and Resolutions.

The following bills and resolutions were introduced:

By Senators Cousins and Floyd:

S. B. No. 100, A bill to be entitled "An Act to establish and maintain a State school of correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties, to provide for the appointment of members of the faculty; prescribe their duties and provide for salaries of members of said faculty."

Read first time and referred to Committee on Educational Affairs.

S. C. R., No. 8, concerning the

audit of the Treasury Department.
The resolution was read.

Message from the House.

A messenger from the House presented himself at the bar of the Senate with the following message:

Hall of the House of Representatives.
Austin, Texas June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 36, A bill to be entitled "An Act to repeal all special road laws heretofore enacted for Fayette County, Texas, except Chapter 2, of the Local and Special Laws passed at the Regular Session of the Thirty-sixth Legislature, etc., and declaring an emergency."

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk, House of Representatives.

Senate Concurrent Resolution No. 8.

The resolution was referred to the Committee on Contingent Expenses.

Senate Bill No. 68.

Senator Dayton received unanimous consent to withdraw the pending amendment to the caption of Senate Bill No. 68.

Senator Dayton sent up the following amendment to Senate Bill No. 68:

Amend Senate Bill No. 68 as follows:

Insert in the bill in Section 22 thereof, line 6, page 20, immediately following the semi-colon after the word "repealed" the following words:

"And Chapter 11 of General Laws passed by the Thirty-fifth Legislature at its Third Called Session and Chapter 41 of the General Laws passed by the Thirty-sixth Legislature at its Regular Session are hereby expressly repealed."

WOODS.

DAYTON.

The amendment was read and adopted.

Senator Dayton sent up the following amendment to the caption:

Amend the caption to Senate Bill No. 68 by adding to said caption after the word "herewith," line 17, page 22, the following words:

"and expressly repealing Chapter 11 of the General Laws passed by the Thirty-fifth Legislature at its Third Called Session and Chapter 41 of the General Laws passed by the Thirty-sixth Legislature at its Regular Session."

WOODS.
DAYTON.

The amendment was read and adopted.

Senator Witt sent up the following amendment to Senate Bill No. 68:

Amend Senate Bill No. 68, by striking out in line 14, page 20, the word "effect" and in lieu thereof insert the word "affect."

The amendment was read and adopted.

Message from the Governor.

Miss Houghton, a messenger from the Governor, presented herself at the bar of the Senate with the following executive message:

Governor's Office,
Austin, Texas, June 12, 1920.
To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Darroch, I submit for your consideration the following subject to-wit:

"An Act creating the Mullin Independent School District in Mills County, Texas, etc., and declaring an emergency."

Respectfully submitted,
W. P. HOBBY,
Governor.

Senate Bill No. 68.

Senator Bledsoe sent up the following amendment to Senate Bill No. 68:

Amend Senate Bill 68 by striking out all after the enacting clause and substituting therefor the following:

Section 1. The pink bollworm (*Pectinophora gossypiella*) is declared a dangerously injurious insect, and a public nuisance and its eradication and destruction is a public necessity.

Sec. 2. That the sum of \$550,000, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated to apply as damages and compensation and to be used in the administration of the pink bollworm law. Fifty thousand (\$50,000) dollars of this amount is appropriated to the Department of Agriculture to meet the expenses of the administration and five hundred thousand (\$500,000) dollars of this amount is appropriated to pay damages and compensation found to be due to growers of cotton in any infested area. "It is expressly provided that no payments as compensation shall be made on account of the noncotton zone for any year except where claimant shows that due diligence has been pursued in the planting, cultivating and harvesting of a substitute crop of cotton, and that compensation shall represent the difference between the net profit of a cotton crop and the net profit of a substitute crop.

Sec. 3. There is hereby created a board consisting of three persons to be known as the "Pink Bollworm Compensation Board" to be appointed by the Governor, whose duties it shall be to pass upon all matters pertaining to claims for compensation or claims for damages arising out of the enforcement of the pink bollworm law.

Sec. 4. The fact that no revenue is available for the purpose set forth in Section 1 of this act creates an emergency and an imperative necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

Senator Hopkins sent up the following amendment to the amendment of Senator Bledsoe to Senate Bill No. 68:

Amend the amendment by striking out "five" where it appears in amendment before "hundred thousand" and insert in lieu thereof the following: "two."

The amendment to the amendment was read.

Senator Hall made the point of order that this amendment pending was a new bill, and under the rules could not be considered without being first referred to a committee.

The Chair overruled the point of order.

On the motion of Senator Hopkins the amendment to the amendment was adopted.

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,
Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 9, A bill to be entitled "An Act to appropriate four million dollars out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1920, and ending August 31, 1920, the same to be distributed as the available fund is now distributed."

S. B. No. 53, A bill to be entitled "An Act repealing Sections 1 to 3 both numbers inclusive, of Chapter 137, Special Laws enacted by the Regular Session of the Thirty-fifth Legislature, approved March 28, 1917, the same being an Act creating a more efficient road system for Bowie County, Texas; adopting for said county the General Laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof and declaring an emergency."

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk, House of Representatives.

House Bill Read and Referred.

After its caption had been read, the Chair referred House Bill No. 9 to the Committee on Finance.

Bill Signed.

After its caption was read the Chair signed in the presence of the Senate, House Bill No. 11.

Senators Excused.

Senators Clark and Gibson were excused by unanimous consent.

Simple Resolution No. 16.

Unanimous consent was granted to send up the following resolution:

Resolved, That the Board of Control be requested to place under the picture of Gen. McAlexander hanging in the Senate Chamber a small placard giving his name, a short sketch of his achievements and the reason why his picture is here and that the expense thereof be paid out of the contingent expense fund of the Senate.

DUDLEY.
CALDWELL.

The resolution was read and adopted.

Simple Resolution No. 17.

Unanimous consent was granted to send up the following resolution:

Whereas, the public press of the State have this day published what purports to be copies of telegrams sent to the Governor of Texas by steamship companies operating at the port of Galveston, and against which the strike at that port was directed, and in which telegrams it is stated by the steamship companies that conditions at Galveston are now practically normal; therefore, be it

Resolved, by the Senate of Texas, That Governor Hobby be requested to immediately recall all troops now stationed at Galveston, and that the government of the City of Galveston be immediately restored to the civil authorities.

MCNEALUS.

The resolution was read and referred to the Committee on Commerce and Manufacturing.

Recess.

On the motion of Senator McNealus, the Senate stood recessed until 2 o'clock this afternoon.

Afternoon Session.

The Senate was called to order by President pro tem, A. C. Buchanan, at 2 o'clock, pursuant to recess.

House Bill No. 146.

On the request of Senator Parr, unanimous consent was granted to

take up and consider, out of its order, H. B. No. 146, A bill to be entitled "An Act to amend Section 1 of Chapter 48 of the Special Laws passed by the Thirty-sixth Legislature at its Second Called Session, creating the Los Indios Independent School District in Cameron County, by providing for the boundaries of said district, more particularly defining its metes and bounds, and declaring an emergency."

The committee report that the bill be not printed, was adopted.

The bill was read second time and passed to its third reading.

On the motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read third time and finally passed by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Message from the Governor.

Miss Houghton, a messenger from the Governor, appeared at the bar of the Senate with the following executive messages:

Governor's Office.

Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Senators Suiter and Hopkins, I submit for your consideration the following subject, to-wit:

"An Act to amend Articles 2425 and 2427 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 145 of the Acts of the Regular Session of the Thirty-sixth Legislature so as to authorize and require the State Treasurer to deposit funds authorized or required by law to be kept in the State Treasury whether belonging to the State or not, in the State depositories provided by law, and so as to provide that the interest provided therefrom shall be prorated to the several funds in the State Treasury in proportion to the amount of money in such funds, and declaring an emergency."

Respectfully submitted,

W. P. HOBBY.
Governor.

Governor's Office.

Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session.

Gentlemen: At the request of Representative Morris of Medina, I submit for your consideration the following subject, to-wit:

"An Act creating the Devine Independent School District in Medina County, Texas; etc., and declaring an emergency."

Respectfully submitted,

W. P. HOBBY.
Governor.

Bills Signed.

After their captions had been read, the Chair signed in the presence of the Senate, Senate Bill No. 53, Senate Bill No. 36, and Senate Bill No. 23.

Senate Bill No. 68.

Senator Caldwell moved the previous question on the amendment of

Senator Bledsoe as amended. The previous question was ordered.

The yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—11.

Alderdice.	Floyd.
Bledsoe.	Rector.
Buchanan of Bell.	Westbrook.
Buchanan of Scurry.	Williford.
Caldwell.	Witt.
Dorough.	

Nays—13.

Bailey.	Hall.
Cousins.	Hertzberg.
Davidson.	McNealus.
Dayton.	Parr.
Dean.	Smith.
Dudley.	Woods.
Faust.	

Present—Not Voting.

Page.	Suiter.
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Absent—Excused.

Carlock.	Strickland.
Gibson.	

(Pair Recorded)

Senator Hopkins (present), who would vote "yea"; Senator Clark (absent), who would vote "nay".

Senator Caldwell moved the previous question on the bill.

The previous question was ordered.

Senator Dayton moved the engrossment of the bill.

The yeas and nays were demanded, and the bill was ordered engrossed by the following vote:

Yeas—14.

Alderdice.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Witt.
Dudley.	Woods.

Nays—8.

Bledsoe.	Hall.
Cousins.	McNealus.
Davidson.	Parr.
Faust.	Rector.

Present—Not Voting.

Bailey.	Williford.
Page.	

21—Senate.

Absent.

Smith.

Absent—Excused.

Carlock.	Strickland.
Clark.	

(Pair Recorded)

Senator Caldwell (present), who would vote "nay"; Senator Gibson (absent), who would vote "yea".

On the motion of Senator Dayton, the constitutional rule requiring bills to be read on three several days was suspended by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bailey.	Hall.
Bledsoe.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Nays—1.

McNealus.

Absent.

Smith.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—13.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Suiter.
Dayton.	Westbrook.
Dean.	Witt.
Dorough.	Woods.
Dudley.	

Nays—8.

Bledsoe.	Hall.
Cousins.	McNealus.
Davidson.	Parr.
Faust.	Rector.

Present—Not Voting.

Bailey.	Page.
Floyd.	Williford.

Absent.

Smith.

Absent—Excused.

Carlock.	Strickland
Clark.	

Pair Recorded.

Senator Caldwell (present), who would vote "nay"; Senator Gibson (absent), who would vote "yea".

Bill Introduced.

Unanimous consent was granted to send up the following bill:

By Senators Hopkins, Suiter:

S. B. No. 101, A bill to be entitled "An Act to amend Articles 2425 and 2427 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 145 of the Acts of the Regular Session of the Thirty-sixth Legislature so as to authorize and require the State Treasurer to deposit funds authorized or required by law to be kept by the State Treasurer or in the State Treasury whether belonging to the State or not, in the State Depositories provided by law, and so as to provide that the interest derived therefrom shall be pro rated to the several funds in the State Treasury in proportion to the amount of money in such funds, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Senate Bill No. 58.

On the request of Senator Dean, unanimous consent was granted to take up and consider

S. B. No. 58, A bill to be entitled "An Act to make appropriation to pay debts of the State Railroad accrued prior to June 1st, 1920, providing manner and method of payment, and declaring an emergency."

The bill was read the second time and ordered engrossed.

On the motion of Senator Dean, the constitutional rule requiring bills

to be read on three several days was suspended by the following vote:

Yeas—26.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Cousins.	Parr.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Present—Not Voting.

Buchanan of Bell.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Page.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Senate Bill No. 97.

On the request of Senator McNealus, unanimous consent was granted to take up and consider

S. B. No. 97, A bill to be entitled "An Act to amend Articles 3881.

3882, 3883, 3889, and 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapters 121 and 142, and as amended by Chapter 58 of the Regular Session of the Thirty-fifth Legislature and as amended by Chapter 158 of the Regular Session of the Thirty-sixth Legislature; relating to the maximum amount of fees to be retained by district and county officers; the manner of accounting for excess fees and the payment of deficit amounts; the appointment and pay of deputies and assistants to the various district and county officers; prescribing the maximum salaries to be paid such deputies and assistants; providing for the appointment of two additional assistants by the district or county attorney in counties of 100,000 inhabitants; prescribing the maximum amount of salaries to be paid such additional assistants and the manner of such payment; providing for Seventy-five (\$75.00) dollars per month for necessary expense by such district and county attorney in counties of 100,000 inhabitants; and declaring an emergency."

The bill was read the second time and the committee report that the bill be printed in the Journal was adopted.

Message from the Governor.

A messenger from the Governor appeared at the bar of the Senate with the following executive message:

Governor's Office.

Austin, Texas, June 12, 1920.

To the Thirty-sixth Legislature in Third Called Session:

I ask the advice, confirmation and consent of your body in the appointment of Hon. P. A. Martin as Judge of the 89th Judicial District in Wichita County.

Respectfully submitted,

W. P. HOBBY.

Governor.

Bill Introduced.

Unanimous consent was granted to send up the following bill:

By Senator Buchanan of Scurry.

S. B. No. 102, A bill to be entitled "An Act to amend Chapter 19 of the

General Laws of the State of Texas, passed at the Second Called Session of the Thirty-sixth Legislature, by withdrawing the unsurveyed public free school lands from the operations of the provisions of said Chapter, and providing for the application for and issuance of permits to prospect for oil and gas on such lands and regulating developments thereunder, and declaring an emergency.

Read first time and referred to Committee on Public lands and Land Office.

Senate Bill No. 97.

Senator McNealus sent up the following amendment:

Amend Senate Bill 97. by striking out all after the enacting clause and inserting the following:

Section 1. That Article 3903, Chapter 4, title 58 of the Revised Civil Statutes of 1911, of the State of Texas, and as amended by Chapter 142 of the regular session of the Thirty-third Legislature and also by Chapter 55 of the regular session of the Thirty-fifth Legislature be amended as to hereafter read as follows:

Article 3903. Whenever any officer named in Article 3881 to 3886 shall require the services of deputies or assistants in the performance of his duties, he shall apply to the County Judge of his County for authority to appoint same; and the County Judge shall issue an order authorizing the appointment of such a number of deputies or assistants as in his opinion may be necessary for the efficient performance of the duties of said office. The officer applying for appointment of a deputy or assistant, or deputies or assistants, shall make affidavit that they are necessary for the efficiency of the public service, and the County Judge may require, in addition, a statement showing the need of such deputies or assistants; and in no case shall the County Judge attempt to influence the appointment of any person as deputy or assistant in any office. Provided that in all counties having a population in excess of 100,000 inhabitants, the District Attorney of any district, or the County Attorney of any county where there is no District Attorney, is authorized, with the consent of the County Judge of the county for which

such appointment is intended to appoint not to exceed two assistants, in addition to his regular deputies or assistants, the number of deputies or assistants not to exceed two for the entire district, regardless of the number of counties it may contain, which two assistants shall not be required to possess the qualifications prescribed by law for District and County Attorneys, and who shall perform such duties as may be assigned to them by the County Attorney of such County, or the District Attorney of such District, and who shall receive as their compensation a sum not to exceed \$150.00 per month, to be paid in monthly installments out of the funds of the county for which such appointment is made by warrants drawn on such county funds; provided further that in counties having a population in excess of one hundred thousand (100,000) inhabitants, the District Attorney in the county of his residence or the County Attorney, where there is not a District Attorney, shall be allowed by order of the Commissioner's Court of the County where such official resides such amount as said court may deem necessary to pay for the proper administration of the duties of such office, not to exceed a sum of Seventy-five (\$75.00) Dollars per month; such amount to be allowed upon affidavit of said District or County Attorney showing a necessity for such expense and for all of the amounts so incurred; said Commissioner's Court may also require any other evidence as it may deem necessary to show the necessity of such expenditure, but it shall be the sole judge as to the necessity of such expenditure and its judgment in allowing same shall be final.

The maximum amount, which may be allowed for deputies or assistants to the officers named in Article 3881 to 3886 for their services, shall be as follows, to-wit:

First Assistant or Chief Deputy a sum not to exceed Twelve Hundred Dollars (\$1200.00) per annum; other assistants or deputies a sum not to exceed Nine Hundred Dollars (\$900.00) per annum.

Provided that in counties having a population of from Thirty-seven Thousand Five Hundred (37,500) to One Hundred Thousand (100,000) inhabitants the maximum salary al-

lowed such deputies or assistants for their services shall be as follows:

First Assistant or Chief Deputy a sum not to exceed Eighteen Hundred Dollars (\$1800.00) per annum; heads of each department not to exceed Fifteen Hundred Dollars (\$1500.00) per annum; other deputies or assistants not to exceed Twelve Hundred Dollars (\$1200.00) per annum.

Provided that in counties having a population in excess of One Hundred Thousand (100,000) inhabitants the maximum salary that may be allowed such deputies or assistants for the services shall be as follows, to-wit:

First Assistant or Chief Deputy not to exceed Twenty-four Hundred Dollars (\$2400.00) per annum; heads of each department not to exceed Twenty-one Hundred Dollars (\$2100.00) per annum; other assistants or deputies not to exceed Eighteen Hundred Dollars (\$1800.00) per annum.

Provided that in counties having a population of over Fifty Thousand (50,000) and not to exceed one hundred fifteen thousand (115,000) with a city of Thirty Thousand (30,000) the first assistant, Chief Deputy, not to exceed twenty-four hundred dollars (\$2400.00) per annum and heads of each department not to exceed twenty-one hundred dollars (\$2100.00) per annum, and other assistants or deputies not to exceed eighteen hundred dollars (\$1800.00) per annum.

Provided further that in determining the number of inhabitants in each of the instances heretofore mentioned the number of inhabitants as shown by the 1920 U. S. census shall control.

The County Judge in issuing his order granting authority to appoint deputies or assistants shall state in such order the number of deputies or assistants authorized, but the amount of compensation to be allowed each deputy or assistant shall be fixed by the officer requesting same, and shall be paid out of the fees of office to which said deputy or assistants may be appointed and shall not be included in estimating the maximum salaries of the officers named in Articles 3881 to 3886, such salaries to be paid out of the fees of the office in the following manner: First, out of any cur-

rent fees collected, and second, if such fees are not sufficient then out of any delinquent fees collected and which are due the county after all legal deductions are made, and if there be any balance remaining after the payment of the maximum salaries due to such officer or officers and the salaries due such deputy or deputies the balance shall be paid to the County Treasurer.

Sec. 2. The fact that under the present law the maximum salary allowed to the deputies in the offices named in Articles 3881 to 3886 are inadequate created an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended and this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Hopkins sent up the following amendment to the amendment:

Amend Senate Bill No. 97 as amended by adding after the period at the end of Section No. 1 the following:

"Provided that nothing in this Act shall be construed to repeal House Bill No. 196 passed by the Regular Session of the Thirty-sixth Legislature, same being known as Chapter 47 of the Acts of the Regular Session of the Thirty-sixth Legislature, page 83, relating to fixing salaries of district attorneys, their deputies, assistants and stenographers in counties having a population of more than 100,000. If any county judge shall require the services of clerks or assistants, he shall procure an order of commissioners court of his county, authorizing the employment of such clerks or assistants, provided further that where any county judge has heretofore employed an assistant or clerk to aid him in the discharge of his official duties and such assistant has been paid only a reasonable compensation for his services out of excess fees earned by such county judge, such employment is hereby ratified and no suit shall be brought against any such county judge for the recovery of such payment to such assistant clerk.

The amendment to the amendment was read and adopted.

The amendment as amended was adopted.

Senator McNealus sent up the following amendment.

Amend Senate Bill No. 97, as amended by inserting after the words "eighteen hundred dollars (\$1800.00) per annum" on page 3 of the bill the following: "Provided that in counties having a population of over fifty thousand (50,000) and not to exceed one hundred fifteen thousand (115,000) with a city of thirty thousand (30,000), the first assistant chief deputy, not to exceed twenty-four hundred dollars (\$2400.00) per annum and heads of each department not to exceed twenty-one hundred dollars (\$2100.00) per annum, and other assistants or deputies not to exceed eighteen hundred dollars (\$1800.00) per annum."

Dudley, Witt, Caldwell, McNealus. The amendment was read and adopted.

Senator McNealus sent up the following amendment:

Amend the caption to Senate Bill 97 by striking out all after the word "Act" in the first line of said caption and inserting the following:

"To amend Article 3903, Chapter 4, Title 58, of the Revised Civil Statutes of 1911 of the State of Texas, and as amended by Chapter 142 of the Regular Session of the Thirty-third Legislature and as amended by House Bill 32, Chapter 55, Acts of the Regular Session of the Thirty-fifth Legislature, relating to the compensation of deputy county officers or assistants; providing the maximum amount allowed deputies in counties having a population in excess of one hundred thousand (100,000) inhabitants, as shown by the 1920 United States census, and declaring an emergency.

The amendment was read and adopted.

The bill was ordered engrossed.

On the motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended by the following vote:

Yeas—23.

Alderdice.	Dean.
Bailey.	Dudley.
Bledsoe.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Hall.
Caldwell.	Hertzberg.
Cousins.	Hopkins.
Davidson.	McNealus.

Page.	Williford.
Parr.	Witt.
Smith.	Woods.
Westbrook.	

Absent.

Dayton.	Rector.
Dorough.	Suiter.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—24.

Alderdice.	Faust.
Bailey.	Floyd.
Bledsoe.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Cousins.	Page.
Davidson.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Westbrook.
Dudley.	Witt.

Nays—1.

Suiter.

Present—Not Voting.

Woods.

Absent.

Williford.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

House Bill No. 64.

Senator Bledsoe called up House Bill No. 64, and sent up the following proposed amendments to be printed in the Journal.

Amend House Bill No. 64, by striking out everything above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled An Act to amend Chapter 60 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature as originally enacted and as amended by Chapter 12, General Laws of the First

Called Session of the Thirty-fifth Legislature. The caption of which last named act contains the caption of the first named enactment and which said caption reads, substantially as follows:

"An Act supplementing the Act creating a Live Stock Sanitary Commission for the State of Texas, as defined and described in Article 7312, Revised Civil Statutes, and providing for the further protection for the live stock industry of Texas against all malignant, contagious and infections or of communicable diseases; prescribing the duties of the Live Stock Sanitary Commission; authorizing it to formulate rules and regulations for moving and treating domestic animals within the State; for the protection of live stock industry of Texas against ticks or splenetic fever and other malignant, infectious or communicable diseases and the eradication of the Texas fever-carrying tick, commonly known as the cattle tick (*maragropies annulatus*), scabies in sheep and cattle and other malignant, infectious and communicable diseases affecting sheep and other live stock; authorizing said commission to prescribe quarantine lines and to establish special districts and for the quarantine of premises within said districts; and providing that it shall be the duty of the commissioners' court of any county to co-operate with the said Live Stock Sanitary Commission; to employ cattle, sheep or live stock inspectors, and to build or lease suitable dipping vats for the dipping or treatment of domestic animals; providing for the quarantine, appraisement, and condemnation of horses, mules or asses found infected with glanders; for holding local option elections for taking up and prosecuting the work of tick eradication within any county or counties in this State; providing for the division of the State into certain districts or zones; for the proclamation of a quarantine around the county or counties in the respective districts or zones by the Governor of Texas, and the compulsory quarantine of the county or counties in the respective districts or zones on certain prescribed dates; for the separate quarantine of every individual premise within said county or counties; for the appointment of live stock inspectors by commissioners courts; for the employment of county inspectors in any county

wherein sheep are quarantined on account of scabies; for the publication of service of all quarantines issued by the Live Stock Sanitary Commission, and providing that the same shall be admissible as evidence; for the filing of quarantine notices and making it a misdemeanor to fail or refuse to dip or treat domestic animals when ordered to do so by the Live Stock Sanitary Commission or inspector thereof, or to move domestic animals out of quarantine territory without a written permit, or to fail or refuse to permit the inspection of domestic animals, and prescribing penalties therefor; this Act to be cumulative of the Act creating a Live Stock Sanitary Commission as provided in Article 7312, Revised Civil Statutes, repealing all laws in conflict herewith, and declaring an emergency. Said section as amended not changing in any material way the provision of the original Act, but are yet the substance thereof, the changes being in substance corrective in their nature, except that Section 25 added thereto, provides in substance that any person desiring to use or administer hog cholera virus must first procure a permit from the Live Stock Sanitary Commission and make reports thereof to the Commission; creating offenses for violations of this section and prescribing the punishments therefor; and declaring an emergency."

This amendment provides, in substance, that Section 15 of the first named amendment is amended so as to become six sections known as Sections 15, 15a, 15b, 15c, 15d, and 15e, and Section 17 as amended by the last named Act is again amended and the substance of said amendments, being substantially as follows:

"Providing that when cattle, horses, mules and asses are found to have the fever-carrying tick upon them or are exposed to any premise or place where such tick is known to have existed within certain periods of time, the owners or care-takers thereof shall dip said animal in an arsenical solution of certain proportions, at certain stated intervals, after having first been notified by the Livestock Sanitary Commission or its chairman, to dip said animals, providing for certain notices to be given, providing for hearings to be had as to whether such animals should be dipped, providing for court review after hearing has been had before the

Livestock Sanitary Commission, providing for an inspection to be had of cattle, mules, horses, asses and all premises by the Livestock Sanitary Commission or its representatives, under certain conditions, providing for reasonable time after contest of an order requiring dipping to be given where contestee is not successful before Livestock Sanitary Commission, for owner or care-taker within which to comply with said order to dip, authorizing and empowering the Livestock Sanitary Commission to make, adopt and promulgate rules and regulations for carrying out and enforcing all the provisions of this Act; authorizing the Livestock Sanitary Commission to quarantine any district, county, part of county, or premises necessary to be quarantined when said Commission has determined the fact that cattle, horses, mules, asses, sheep, hogs or other livestock are infected with or exposed to splenic tick fever, bovine tuberculosis, anthrax, glanders, contagious abortion, hemorrhagic septicaemia, scabies, hog cholera, or other similar, or dis-similar contagious, infectious or communicable diseases, or the agency of transmission thereof recognized by the veterinary science as being contagious, infectious or communicable, provided that notice of such quarantine shall be issued by the said Commission or chairman thereof, providing manner of giving such notice; exempting cattle used as milch or dairy cows exclusively from being dipped, unless upon examination by authorized inspector of the Livestock Commission said cattle are found to have upon them or are exposed to said fever-carrying ticks, creating offenses for violations of this Act, and prescribing the punishment therefor, repealing all laws or parts of laws in conflict herewith and declaring an emergency."

Amend House Bill No. 64 by striking out everything below the enacting clause and inserting the following:

Section 1. That Chapter 60 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, be amended by striking out Section 15 thereof and inserting in lieu thereof a new Section 15 and five additional sections to be known as Sections 15a, 15b, 15c, 15d and 15e and amending

Section 17 all of said sections to read as follows, to-wit:

Sec. 15. Any person, company or corporation owning, controlling or caring for any cattle, horses, mules, or asses which have the fever-carrying tick (*Margaropus Annulatus*) upon them or upon any of them, or that are exposed to the said fever-carrying tick, or that are on any premises or other place on which the fever-carrying tick is known to exist, or that have, some time within nine months next preceding the issuance of the written direction to dip hereinafter provided, been exposed to the said fever-carrying tick or been on said premises or other place on which the fever-carrying tick is known to exist, who shall fail or refuse to dip any of said cattle, horses, mules or asses at such time and in such manner as directed in writing by the Livestock Sanitary Commission, or its chairman, as provided for in this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than Twenty-five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, and each day of such failure or refusal shall be a separate offense.

Section 15a. The Live Stock Sanitary Commission, or its chairman, is hereby authorized and empowered to direct in writing any person, or persons, company, or corporation, owning, controlling, or caring for any cattle, horses, mules or asses, which are subject to being dipped under the provisions of this Act, to dip all or any of said cattle, horses, mules, or asses, under the supervision of an authorized inspector of such Commission, in an arsenical solution of a strength not less than seven and one-half pounds, and not more than eight and one-half pounds of arsenic to each five hundred gallons of water in the said solution for the purpose of destroying, eradicating and removing said fever-carrying tick or exposure, subject to the provisions of this Act. Said dippings shall be administered at regular intervals but the Live Stock Sanitary Commission shall not require the dipping of cattle at more frequent intervals than every fourteen days.

Sec. 15b. The written direction issued by the Live Stock Sanitary Commission, or its chairman, requiring the dipping of cattle, as provided

for in this Act, shall be dated, showing the date of its issuance, the name of the person, company, or corporation to whom the said directions are given, the approximate location of the premises on which the said live stock are located, the name of the county in which said premises are located, and it shall state in clear and intelligible language that the said cattle, horses, mules or asses, which the said person is therein directed to dip, have the fever-carrying tick upon them, or that they are exposed to the said fever-carrying tick, or are on a premise or other place on which the fever-carrying tick is known to exist, or that they have some time during the nine months next preceding the date of the issuance of said written direction hereinbefore provided been exposed to the said fever-carrying tick, or been on a premise or other place on which the fever-carrying tick is known to exist; and it shall direct the said person, company or corporation to dip the said live stock under the supervision of an authorized inspector of the Live Stock Sanitary Commission, in an arsenical solution of a strength of not less than seven and one-half pounds, nor more than eight and one-half pounds of arsenic to each five hundred gallons of water in the dipping solution in which the said live stock are to be dipped, and it shall designate the place, date and time that said dipping is to be done, and it shall be signed by the Live Stock Sanitary Commission or its chairman.

Sec. 15c. The said dipping direction, provided for in this Act, shall be delivered to the person, company, or corporation, owning, controlling, or caring for said cattle, horses, mules or asses, required to be dipped, at least fourteen full days before the date and time said dipping is to be administered. The person, company, or corporation, owning, controlling, or caring for said cattle, horses, mules, or asses, required to be dipped under the provision of this Act may file with the Live Stock Sanitary Commission, or its chairman, a written affidavit at any time within five days after receiving said written direction and not later, denying that said cattle, horses, mules or asses, are subject to being dipped under the provisions of law, or that for good and sufficient reason set

out in said affidavit the said person, company, or corporation is entitled to have said dipping direction rescinded, or to have said dipping postponed, and requesting that the Live Stock Sanitary Commission, or its chairman, withhold the enforcement of said dipping direction and grant him, or them, a hearing on said matter, or make necessary investigation to determine the correctness of the statement contained in said affidavit. Upon the receipt of said affidavit the Live Stock Sanitary Commission, or its chairman, shall within five days after receipt of such affidavit grant said affiant a hearing in the office of the chairman of said Commission if the affiant so desire it, and give such affiant notice of such hearing by telegram or registered mail, or said Commission and its chairman shall make such investigation in person, or through its authorized representatives, in reference to said statement as the said Commission, or chairman thereof, deem necessary, and if said statements are found to be correct the said dipping direction shall be rescinded by the said Commission, or its chairman; otherwise the said dipping direction shall be enforced on the date and at the time specified in said written direction. The said Commission or its chairman, after having granted said hearing, or made said investigation, shall notify the said person, company, or corporation in writing of its findings, which said notice shall be delivered to the said person, company, or corporation, at least four full days before the day and time he or they are required to dip said cattle, horses, mules, or asses, by virtue of said written direction. If the said person, company, or corporation who has been directed to dip said cattle as hereinbefore provided for shall be dissatisfied with the findings of the Commission, he or they may apply to a court of proper venue and jurisdiction for injunctive or other relief and the Live Stock Sanitary Commission shall not enforce the said dipping order until the final disposition of said suit or action.

Section 15d. The ascertaining of the presence of the fever-carrying tick on any premise, place or live stock, or the ascertaining of exposure of premises, places, or live stock, to said fever-carrying tick,

shall be done by authorized representative or inspectors, of the Live Stock Sanitary Commission, or by the said Commissioners.

Section 15e. The Live Stock Sanitary Commission is hereby authorized and empowered to make, adopt and promulgate, rules and regulations for carrying out and enforcing all the provisions of this Act.

Section 2. That Section 17 of Chapter 60, General Laws, passed by the Thirty-fifth Legislature at its Regular Session, as amended by Chapter 12, General Laws passed at First Called Session of the Thirty-fifth Legislature, be amended so that hereafter said Section 17 will read as follows:

Section 17. Whenever the Live Stock Sanitary Commission shall have determined the fact that cattle, horses, mules, asses, sheep, hogs, goats, or other live stock, are infected with, or exposed to splenic tick fever, bovine tuberculosis, anthrax, glanders, contagious abortion, hemorrhagic septicaemia, scabies, hog cholera, Malta fever, or other similar, or dissimilar contagious, infectious, or communicable diseases, or to the agency of transmission thereof, recognized by the veterinary science as being contagious, infectious, or communicable, the said Commission shall designate the district, county, or part of county, or premises necessary to be quarantined, and notice of such quarantine shall be issued by the said Commission, or chairman thereof, as provided herein. Publication of such quarantine orders may be made in any newspaper within such area, or if no newspaper is published in such area, then the nearest newspaper thereto. In lieu of such publication the Live Stock Sanitary Commission may give notice of such quarantine by posting a copy of such quarantine notice at the county court house door of the county in which said quarantine is to be effective. A written notice of such quarantine delivered to the owner or caretaker of live stock to be quarantined shall be sufficient notice of such quarantine in lieu of notices above provided. Provided that the owner or caretaker, of milch or dairy cows shall not be required to dip such cattle unless upon examination by an authorized inspector of the Live Stock Sanitary Commission, such cattle or a part of them are found to have the fever-carrying tick upon them, or

are exposed to said fever-carrying tick, and if the said Live Stock Sanitary Commission shall so find, then said quarantine shall be effective as to the premises of such owner, and said person shall be subject to all the provisions of this Act, provided the term milch or dairy cows shall include only such cattle as are actually used for domestic or dairy purposes and does not include stocker or breeding cattle for other purposes.

Section 3. The fact that this is a special session of the Legislature and that the importance of this legislation to the people of the State creates an emergency, and an imperative public necessity exists which requires that the constitutional rule providing that bills shall be read on three several days be suspended, and said rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

The bill was laid on the table subject to call.

Senate Bill No. 34.

On the request of Senator Caldwell, unanimous consent was granted to take up and consider

S. B. No. 34, A bill to be entitled "An Act making an appropriation for the support of the State Fire Insurance Commission of the State of Texas for the year beginning September 1, 1920, and ending August 31, 1921, providing the amount shall be paid from revenue from tax on insurance companies and repealing the appropriation for such purpose contained in Chapter 87 of the Second Called Session of the Thirty-sixth Legislature and all laws in conflict therewith, and declaring an emergency."

The bill was read the second time and the committee report carrying substitute was adopted.

The bill was ordered engrossed.

On the motion of Senator Caldwell the constitutional rule was suspended by the following vote:

Yeas—24.

Alderdice.	Cousins.
Bailey.	Davidson.
Bledsoe.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Dorough.
Caldwell.	Dudley.

Faust.	Parr.
Floyd.	Smith.
Hall.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Williford.
Page.	Witt.

Present—Not Voting.

Woods.

Absent.

McNealus.

Rector.

Absent—Excused.

Carlock.

Gibson.

Clark.

Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Davidson.

Williford.

Hall.

Absent—Excused.

Carlock.

Gibson.

Clark.

Strickland.

Message from the House.

A messenger from the House appeared at the bar of the Senate with the following message:

Hall of the House of Representatives,

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 101, A bill to be entitled "An Act authorizing and empowering certain municipalities of this State to fix and prescribe the annual salary or compensation of their city or corporation judge at not exceeding a maximum prescribed sum, fixing the maximum amount thereof, and declaring an emergency."

H. B. No. 112, A bill to be entitled "An Act creating and incorporating Idalou Independent School District in Lubbock County, etc., and declaring an emergency."

Respectfully submitted,
NOEL K. BROWN,
Chief Clerk, House of Representatives.

Senate Bill No. 76.

On the request of Senator Caldwell unanimous consent was granted to take up and consider

S. B. No. 76, A bill to be entitled "An Act to amend Section 29 of Chapter 106, General Laws of the Regular Session of the Thirty-third Legislature as amended by Chapter 73, General Laws of the Regular Session of the Thirty-fifth Legislature, same being: 'An Act to amend Sections 5, 6, 8, 9 and 29 of Chapter 106, General Laws of the Regular Session of the Thirty-third Legislature, approved April 2, 1913, and same being, An Act to repeal Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-first Legislature of the State of Texas, approved September 6, 1910, known as the State Insurance Board Law, and to provide conditions upon which Fire Insurance Companies may hereafter transact business in the State of Texas, and to create the State Fire Insurance Commission, and to prescribe its duties and authority, and the duties and authority of each member thereof, and to fix the salaries of the members, and to provide for their appointment and removal; and to provide that hereafter the rate of premiums to be charged by fire insurance companies in this State shall be fixed and determined and promulgated exclusively by said State Fire Insurance Commission, and to prohibit any such fire insurance company from collecting or receiving any premiums on account of policies of fire insurance issued by them, unless the rates of such premiums have been so fixed and determined and promulgated by said State Fire Insurance Commission; to provide certain conditions and limitations on fire insurance contracts or policies, and providing penalties for violation of provisions of this act, and appropriating money necessary to carry out its provisions and declaring an emergency,' so that hereafter said Sections 5, 6, 8, 9 and 29 of said Chapter 106 shall provide in substance: to fix the salaries of members of the Fire

Insurance Commission and to provide for an assessment of one and one-fourth (1 1-4) per cent on the gross premiums of all fire insurance companies doing business in this State to be expended in carrying out the provisions of said Act, and to limit the aggregate expenditures, of the Commission for all purposes, including the salaries of the members thereof, in any one year, to the sum of one hundred and thirty thousand dollars (\$130,000) and to prescribe the duties and powers of the State Fire Insurance Commission with respect to the collection and classification of data pertaining to fires, and fixing and promulgation of rates of premium based upon such data; to prescribe the powers and duties of the Fire Marshall of State Fire Insurance Commission relating to the investigation of fires, and the correction of fire hazards, and declaring an emergency; removing therefrom the limitation on the amount of expenditures by the State Fire Insurance Commission, and appropriating all of the funds or so much thereof as may be necessary, collected from insurance companies under said section for the use of the State Fire Insurance Commission; the substance of this amendment being to eliminate the limitation of one hundred and thirty thousand dollars contained in said section 29; this bill also repeals the existing appropriation contained in Chapter 87, Acts of the Second Called Session of the Thirty-sixth Legislature and reappropriates all funds derived from the tax imposed by this act, and authorizes the Commission to fix the salaries, compensation and expenses of the Commission for the remainder of this fiscal year in amounts similar and in the same proportion as those fixed by this session of the Legislature for the commission for the fiscal year beginning September 1, 1920, and declaring an emergency."

The bill was read the second time, the committee report adopted, and it was ordered engrossed.

On the motion of Senator Caldwell, the constitutional rule was suspended by the following vote:

Yeas—26.

Alderdice.	Cousins.
Bailey.	Dayton.
Bledsoe.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Caldwell.	Faust.

Floyd.	Rector.
Hall.	Smith.
Hertzberg.	Suiter.
Hopkins.	Westbrook.
McNealus.	Williford.
Page.	Witt.
Parr.	Woods.

Absent.

Davidson.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas 25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Davidson.	Smith.
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Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Senate Bill No. 78.

On the motion of Senator Suiter, unanimous consent was granted to take up and consider

S. B. No. 78, A bill to be entitled "An Act to validate Common School Districts containing less than 9 square miles and created on or after July 1, 1919, and in which elections for the purpose of voting bonds have been held or may hereafter be held; validating said elections and the bonds issued or authorized to be issued in accordance with said elections; authorizing the issuance of said bonds in the same manner as if said district maintained more than nine square miles; making this act cumulative of all laws now in effect on this subject, and not in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read the second time and ordered engrossed.

On the motion of Senator Suiter, the constitutional rule was suspended by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Hall.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Davidson.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Hertzberg.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Senate Bill No. 28.

The Chair laid before the Senate on the calendar

S. B. No. 28, A bill to be entitled "An Act to amend Article 1460, chapter 2, title 29, of the Revised Civil Statutes of 1911, and amended by the

34th Legislature, page 203, and amended by the 35th Legislature, Civil Statutes of 1911, providing for the appointment and compensation of County Auditors in counties having a population of forty thousand inhabitants, according to the last United States census, or having a tax valuation of fifteen million dollars according to the last approved tax rolls and also providing for appointment of assistants and declaring an emergency."

The committee report that the bill be printed in the Journal was adopted.

Senator Witt sent up the following amendment:

Amend Senate Bill 28, page 173 of the Journal for the 12th day as follows:

Strike out the words and figures five thousand (\$5000.00) in Section 1, and substitute the words and figures thirty-six hundred (\$3600.00).

The amendment was read and adopted.

Senator Witt sent up the following amendment:

Amend Senate Bill 28, page 173 of the Journal of the 12th day and Section 2 of the bill, by striking out the words and figures three thousand (\$3000.00) and substitute the words and figures twenty-four hundred (\$2400.00).

The amendment was read and adopted.

Senator Witt sent up the following amendment:

Amend Senate Bill 28, page 173, of the Journal, by striking out Section 3 and renumbering.

The amendment was read and adopted.

The bill was ordered engrossed.

On the motion of Senator Witt, the constitutional rule was suspended by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Hall.
Bledsoe.	Hopkins.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.

Nays—2.

Suiter.	Woods.
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Absent.

Davidson.	Hertzberg.
Floyd.	

Absent—Excused.

Carlock.
Clark.

Gibson.
Strickland.

The bill was read third time and finally passed by the following vote:

Yeas—19.

Alderdice.	Faust.
Bledsoe.	McNealus.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Rector.
Cousins.	Smith.
Davidson.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dudley.	

Nays—3.

Hopkins.	Woods.
Suiter.	

Absent.

Bailey.	Hall.
Dorough.	Hertzberg.
Floyd.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

House Bills Read and Referred.

After their captions were read the Chair referred the following bills:

H. B. No. 112 to the Committee on Education.

H. B. No. 101 to the Committee on Civil Jurisprudence.

Senate Bill No. 98.

On the request of Senator Cousins, unanimous consent was granted to take up and consider

S. B. No. 98, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than 5,000 inhabitants in this State which have adopted charters, or attempted to adopt or amend charters since the 13th day of March, 1919, under Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature of 1913, and validating all proceeding had by city councils or city commissions, or other governing authorities of such cities in regard to the adoption of charters or

amendments to charters and conferring upon and delegating to said cities the powers enumerated in any such charters or amendments thereto, and declaring an emergency."

The bill was read and the committee report that the bill be not printed was adopted.

The bill was laid on the table subject to call.

Bill Introduced.

Unanimous consent was granted to send up the following bill:

By Senator Woods, by request:

S. B. No. 103, A bill to be entitled "An Act validating the charter and amendments to the charter of the city of Corsicana, Texas, the same being a city of more than 5000 inhabitants in this State, which adopted a charter and amendments thereto or attempted to adopt or amend its charter since the enactment of Chapter 147, General Laws of the Regular Session of the 33rd Legislature, 1913, and validating all proceedings had by the city commission or governing authority in regard to the question of the adoption of the charter or the amendments thereto for the city of Corsicana and thereby amending same as adopted and amending Sections 41 and 45 thereof so as to authorize the Commission of said city to levy a tax of two and a half per cent on the one hundred dollars assessed valuation of all property in said city, of which amount not exceeding seventy-five cents on the one hundred dollars shall be for the support and maintenance of the public free schools of the said city and not exceeding five cents on the one hundred dollars assessed valuation may be for the establishment, maintenance and support of the free public library and providing for the governing of the schools of said city and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Senate Bill No. 99.

Senator Caldwell moved to suspend the regular order of business and take up Senate Bill No. 99.

The motion failed by the following vote, two-thirds vote being required:

Yeas—10.

Bailey.	Caldwell.
Bledsoe.	Cousins.

Dorough.
Dudley.
Faust.

Parr.
Rector.
Smith.

Nays—10.

Alderdice.	Page.
Buchanan of Bell.	Suiter.
Buchanan of Scurry.	Westbrook.
Dean.	Williford.
Floyd.	Woods.

Present—Not Voting.

Davidson.	Dayton.
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Absent.

Hall.	McNealus.
Hertzberg.	Witt.
Hopkins.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Senate Bill No. 88.

Unanimous consent was granted to take up and consider out of its order

S. B. No. 88, A bill to be entitled "An Act to amend Article 637, Chapter 2, Title 18, Revised Civil Statutes of Texas, 1911, as amended by Section 1 of Chapter 203, Acts of the Regular Session of the Thirty-fifth Legislature, by adding thereto Article 637i, and declaring an emergency."

The bill was read.

Senator Dayton sent up the following amendment:

Amend caption to Senate Bill No. 88 by adding just before the emergency clause the following:

"Providing for enlargement of political subdivisions or defined districts of any county that has heretofore voted or may hereafter vote road bonds under the authority of this chapter."

The amendment was read and adopted.

The committee report that the bill be printed in the Journal was adopted.

The bill was ordered engrossed.

On the motion of Senator Dayton the constitutional rule was suspended by the following vote:

Yeas—22.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bledsoe.	Caldwell.

Cousins.	Page.
Davidson.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Hall.	McNealus.
Hertzberg.	Parr.
Hopkins.	

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was read the third time and finally passed by the following vote:

Yeas—21.

Alderdice.	Floyd.
Bailey.	Page.
Bledsoe.	Parr.
Buchanan of Bell.	Rector.
Buchanan of Scurry.	Smith.
Caldwell.	Suiter.
Cousins.	Westbrook.
Dayton.	Williford.
Dean.	Witt.
Dorough.	Woods.
Faust.	

Absent.

Davidson.	Hertzberg.
Dudley.	Hopkins.
Hall.	McNealus.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

Senate Bill No. 20.

The Chair laid before the Senate by unanimous consent

S. B. No. 20, A bill to be entitled "An Act to amend Articles 16, 53 and 67, Chapter 73 of the General Laws of the Thirty-sixth Legislature, passed at the Second Called Session thereof, being 'An Act creating the office of Game Fish and Oyster Commissioner; providing for his appointment; prescribing his qualifications; defining his duties; authorizing the appointment of deputies; prescribing their qualifications; defining their powers and duties; and for the protection of fish, oysters, turtles, terrapins, shrimp, crabs, clams, mussels, lobsters and all

other kinds and forms of marine life in the public fresh water, tidal and coastal waters of the State and to protect the natural oyster beds and reefs and to provide for the location of private beds, prescribing the terms, tax and conditions upon which fish, shrimp, crabs, clams, turtles, terrapins, mussels, lobsters and all other forms and kinds of marine life may be taken from the waters of this State; providing that this Act shall be construed to be a continuation of all former laws upon the subject; and providing that all suits now pending involving laws affected by this Act shall not abate but shall be prosecuted under such former laws and under this Act, and declaring an emergency providing license fee and tax on wholesale dealers in fish and oysters and other marine products and defining a wholesale dealer and fixing penalties; regulating the size of fish which may be sold or offered for sale, and prescribing penalties; fixing salaries of the Game, Fish and Oyster Commissioner, his chief deputy and certain other deputies and employees, and declaring an emergency."

The bill was read second time.

The committee report carrying the amendments were adopted.

Senator Cousins sent up the following amendment:

Amend Senate Bill No. 20, page 7, by cutting out lines 12, 13, 14 and 15.

The amendment was read.

Senator Dean moved to table the amendment.

The motion was lost by the following vote:

Yeas—8.

Alderdice.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Floyd.	Woods.

Nays—13.

Bailey.	Faust.
Bledsoe.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Cousins.	Smith.
Davidson.	Witt.
Dudley.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Dayton. Hopkins.
Hall. Rector.
Hertzberg.

Absent—Excused.

Carlock. Gibson.
Clark. Strickland.

Senator Witt sent up the following amendment to the amendment:

Amend the amendment to Senate Bill No. 20 by making salary of Fish, Game and Oyster Commissioner "\$3,000.00" instead of "\$3,600.00."

The amendment to the amendment was read and adopted.

The amendment as amended was adopted.

Senator Cousins sent up the following amendment:

Amend Senate Bill No. 20, page 8, line 8, by inserting after the semicolon, at the end of the line: "Fixing salaries of the Game, Fish and Oyster Commissioner, his chief deputy and certain other deputies and employes."

The amendment was read and adopted.

Senator Cousins sent up the following amendment:

Amend Senate Bill No. 20, page 8, by cutting out lines 10, 11 and 12.

The amendment was read and adopted.

Senator Cousins sent up the following amendment:

Amend Senate Bill No. 20, page 8, by cutting out lines 13 and 14.

The amendment was read and adopted.

Senator McNealus sent up the following amendment:

Amend Senate Bill No. 20, page 3, line 7, by striking out the word "thousand" and substituting therefor the word "hundred," and strike out, in the same line, the words "one cent" and substitute therefor the words "ten cents."

The amendment was read, and on the motion of Senator Cousins the amendment was tabled.

Senator Dorrough sent up the following amendment:

Amend Senate Bill No. 20, page 4, lines 30 and 36 by striking out the words "twenty-five" and insert in lieu thereof "twenty."

The amendment was read.

Senator Cousins moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—11.

Alderdice.	Page.
Bledsoe.	Parr.
Cousins.	Smith.
Davidson.	Westbrook.
Dayton.	Witt.
Dudley.	

Nays—9.

Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Suiter.
Dean.	Williford.
Dorough.	Woods.
Faust.	

Present—Not Voting.

Bailey.

Absent.

Caldwell.	Hertzberg.
Floyd.	Hopkins.
Hall.	Rector.

Absent—Excused.

Carlock.	Gibson.
Clark.	Strickland.

The bill was ordered engrossed.

On the motion of Senator Cousins, the constitutional rule was suspended by the following vote:

Yeas—21.

Alderdice.	Dudley.
Bailey.	Faust.
Bledsoe.	McNealus.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Smith.
Cousins.	Westbrook.
Davidson.	Williford.
Dayton.	Witt.
Dean.	Woods.
Dorough.	

Nays—1.

Suiter.

Absent.

Carlock.	Hertzberg.
Floyd.	Hopkins.
Hall.	Rector.

Absent—Excused.

Clark.	Strickland.
Gibson.	

The bill was read the third time and finally passed.

Senate Bill No. 94.

On the request of Senator Suiter, unanimous consent was granted to take up and consider

S. B. No. 94, A bill to be entitled "An Act creating the LaFayette Independent School District at Camp and Upshur County, Texas, defining its boundaries, providing for a board of trustees in said district; conferring upon said district and its board of trustees all rights, powers, etc.; providing that the present board of trustees of the existing La Fayette Independent School District shall continue in office until the expiration of their respective terms and validating an election heretofore held and validating the bonds to be issued by virtue of such election; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and ordered engrossed.

Adjournment.

On the motion of Senator Buchanan of Scurry, the Senate stood adjourned until 10 o'clock Monday morning.

APPENDIX.**Engrossing Committee Reports.**

Committee Room.

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 76 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Enrolling Committee Reports.

Committee Room.

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, to whom was referred Senate Bill No. 36 have carefully compared same and find it correctly enrolled, and have this day at 3:15 o'clock, p. m., presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 36.

An Act to repeal all special road laws heretofore enacted for Fayette County, Texas, except Chapter 2, of the Local and Special Laws passed at the Regular Session of the Thirty-sixth Legislature, which Act authorizes the levy and collection annually of a \$5.00 road tax against all able-bodied citizens of Fayette County, who are between the ages of twenty-one and sixty years; and authorizing Fayette County, Texas, or any political subdivision or defined district thereof to issue road bonds under the provisions of the general law; validating bond elections heretofore held in certain defined road districts within said county; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all special road laws heretofore enacted by the Legislature applying to Fayette County, Texas, are hereby repealed, except Chapter 2, of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, which authorizes the levy and collection annually of a Five Dollar road tax against all able-bodied citizens of Fayette County, Texas, who are between the ages of twenty-one and sixty years.

Sec. 2. That Articles 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640 and 641 of the General Laws of the State of Texas, Chapter 2, Title 18, Revised Civil Statutes, 1911, and all amendments and additions thereto now in force, or which may be hereafter enacted, relating to the issuance of bonds by counties, political subdivisions and defined districts thereof are hereby adopted, it being the intent hereof that Fayette County, Texas, and all political subdivisions, or defined districts thereof, shall be authorized to issue bonds for the purpose of constructing, maintaining and operating macadamized, gravelled or paved roads and turnpikes, or in aid thereof, and levy taxes to provide interest on and sinking funds for such bonds as authorized by the General Law.

And provided that an election held on January 15, 1918, in Fayette County Road District No. 1 of Fayette County, Texas, for the is-

suance of bonds in the sum of \$100,000 for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, is hereby validated, and all subsequent orders passed and tax levies made by the commissioners court of said county in respect to the issuance and sale of such bonds are hereby validated.

And provided that an election held on January 21, 1919, in Fayette County Road District No. 2, of Fayette County, Texas, for the issuance of bonds in the sum of \$200,000 for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, is hereby validated, and all subsequent orders passed and tax levies made by the commissioners court of said county in respect to the issuance and sale of such bonds are hereby validated.

And provided that an election held on June 21, 1919, in Fayette County Road District No. 3 of Fayette County, Texas, for the issuance of bonds in the sum of \$50,000 for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, is hereby validated, and all subsequent orders passed and tax levies made by the commissioners court of said county in respect to the issuance and sale of such bonds are hereby validated.

And providing that an election held on June 21, 1919, in Fayette County Road District No. 4, of Fayette County, Texas, for the issuance of bonds in the sum of \$75,000, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, is hereby validated, and all subsequent orders passed and tax levies made by the commissioners court of said county in respect to the issuance and sale of such bonds are hereby validated.

Sec. 3. The importance of this legislation to the people of said county creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule which requires all bills to be read on three several days to be suspended and said rule is hereby suspended and this bill take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills to whom was referred Senate Bill No. 53, have carefully compared same and find it correctly enrolled, and have this day, at 3:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 53.

An Act repealing Sections 1 to 3, both numbers inclusive of Chapter 137, Special Laws enacted by the Regular Session of the 35th Legislature approved March 28, 1917, the same being an act creating a more efficient road system for Bowie County, Texas; adopting for said County the general laws of the State in relation to the issuance of bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That all these sections relating to the issuance of bonds from 1 to 3, both numbers inclusive, of Chapter 137, Special Laws passed at the Regular Session of the 35th Legislature, approved March 28, 1917, being an Act creating a more efficient road system for Bowie County, Texas, and the same are hereby repealed.

Section 2. That Articles 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 640 and 641, of the General Laws of the State of Texas, Chapter 2, Title 18, Revised Civil Statutes, 1911, and all amendments and additions thereto now in force, or which may be hereafter enacted, relating to the issuance of bonds by counties, political subdivisions and defined districts thereof, are hereby adopted, it being the intent hereof that Bowie County, Texas and all political subdivisions or defined districts thereof, shall be authorized to issue bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, and levy taxes to provide interest on and sinking funds for such bonds as authorized by the general laws.

Section 3. The fact that the Special Road Law now in effect in Bowie

County, Texas, is inadequate to meet the requirements for the county's forward movement in road building is seriously hampered by the provisions of the sections of said law sought to be repealed, create an emergency and an imperative public necessity requiring the suspension of the constitutional rule, which requires all bills to be read on three several days be suspended and said rule is hereby suspended and this Bill shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills to whom was referred Senate Bill No. 23, have carefully compared same and find it correctly enrolled, and have this day, at 3:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 23.

An Act to create the 89th Judicial District in Wichita County, Texas; to provide for the terms and the jurisdiction thereof; for the appointment of a Judge of said district court; for the transfer of causes from the dockets of this and the other district courts provided for said county so as to expedite the trial of causes; to provide for a Clerk of said Court and for the prosecution of criminal causes in said court and by the district attorney of the 30th Judicial District, and in his absence, by the County Attorney of Wichita County, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Wichita County shall hereafter constitute the 89th Judicial District and the terms of said district court shall begin on the first Mondays in January, April, July and October, and shall continue until the Saturday night preceding the opening of the following term unless the business of the term is sooner disposed of.

Section 2. The district courts of the 89th, 78th and 30th Judicial districts shall have concurrent jurisdiction of all cases, civil, criminal and appellate, over which the district courts of this State have jurisdiction under the constitution and laws of this State, co-extensive with the limits of Wichita

County; provided, however, that no grand jury shall be drawn for the 89th district court unless the judge thereof, in his discretion, shall decide that the same is necessary and shall make a special order for the same upon the minutes of said court.

Section 3. The judges of the 30th, 78th and 89th district courts for Wichita County may each, in his discretion, either in term time or vacation, on motion of either party or on agreement of the parties, or of his own motion, where the Judge believes the Administration of Justice may be facilitated thereby, transfer any cause, civil, or criminal from the dockets of their respective courts to the docket of either of the other district courts of said county, and shall note said transfer on the docket, whereupon the clerk of the district court to which said cause has been transferred shall docket such case, and the same shall there be tried and disposed of as if it originally filed in said court, and no transcript of the record shall be necessary to the jurisdiction of court to which such case has been transferred and no formal proceeding shall be necessary to show such transfer.

Section 4. After the 89th district court shall become organized the Clerk of the district courts of Wichita County shall make up the dockets of the District Courts for said County by filing each new case in the court having the first appearance day after the filing of the petition to which ten days service may be had and all criminal cases shall be originally filed in the court to which the indictment or information is returned and all appeals in probate cases shall be to the court holding the first term after such appeal is perfected.

Section 5. All writs, process, bonds and recognizances, civil and criminal, issued, executed, entered into, or effective in the district courts of Wichita County prior to the taking effect of this Act and returnable or cognizable in or to said courts as they have been heretofore fixed by law are hereby made returnable to and cognizable in either the 30th District Court for Wichita County or the 78th District Court or the 89th District Court, as the same may acquire jurisdiction by the terms of this Act and they shall be as valid and binding in law as if originally issued, made, filed or entered in the Court acquiring jurisdiction by the terms of this Act.

Section 6. The Clerk of the District Court, 30th District for Wichita Coun-

ty shall be the clerk of the 89th District Court and the District Attorney of the 30th Judicial district of Texas shall represent the State in all criminal causes cognizable in said court, when he can be personally present; and in his absence, the County Attorney of Wichita County shall prosecute the pleas of the State in said court and for this service such county attorney shall receive such fees and emoluments as are now provided for by general law for like services to county attorneys throughout the State.

Section 7. As soon as this Act takes effect, the Governor shall appoint a suitable person as Judge of the 89th Judicial District of Texas, who shall hold his office until the next general election, in November, 1920, and until his successor is elected and qualified. He shall possess the constitutional qualifications for District Judges in this State.

Section 8. The crowded condition of the dockets of the 78th and 30th district courts for Wichita County, denying to all litigants the right of a speedy trial, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills be read on three several days in each house be suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, to whom was referred Senate Bill No. 67, have carefully compared same and find it correctly enrolled, and have this day, at 11:25 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. B. No. 67.

An Act making appropriation to pay transportation, subsistence and all other expenses of military forces of the State when ordered on State duty, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any monies in the State Treasury not otherwise appro-

priated, for the purpose of pay, transportation, subsistence and all other expenses of military forces of the State when ordered on duty by the Governor under authority of the Constitution and laws of this State. This appropriation shall expire or lapse into the Treasury, February 1st, 1921.

Section 2. The Legislature now being in session and there being no funds available with which to pay the expenses of military operations in this State, creates an emergency and an imperative public necessity requiring that the Constitutional rule requiring bills to be read on three several days, be suspended and the same is hereby suspended, and that this Act take effect from and after its passage.

Committee Room,

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee on Enrolled Bills, to whom was referred Senate Resolution No. 5, have carefully compared same and find it correctly enrolled, and have this day, at 11:25 a. m. presented same to the Governor for his approval.

SMITH, Chairman.

The following is the bill in full:

S. C. R. No. 5.

Whereas, the Regular Session of the Thirty-sixth Legislature enacted C. S. S. B. No. 64, the same now being Chapter 160 of the Acts of said session, being entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of the minimum wage, providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency," and

Whereas, we are advised that under the terms of the law so passed, it is impossible for the Commission provided for to fix the minimum wage to be paid women and minors, by reason of the limitations and restrictions placed in said bill, and

Whereas, the said Commission has been unable to perform the duties and functions required of it by the law by reason of the law's impractical, unworkable and unjust provisions, and

Whereas, it is improbable that at this Special Session of the Legisla-

ture said law can or will be amended so as to permit the passage of a just minimum wage law; therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That unless said minimum wage law is amended by the present Special Session of this Legislature so as to cure the defects in same and make same practical, workable and just, that the Industrial Welfare Commission provided for in said Act be and it is hereby requested and earnestly solicited not to fix, or attempt to fix, any wage for females and minors at this time, but that the same be deferred until after another Regular Session of the Legislature of the State of Texas shall have had an opportunity to correct the deficiencies in said law and to make it possible for the passage of an Act which will not seriously be to the injury and detriment of both the employers and employes of this State.

Committee Reports.

Committee Room,

Austin, Texas, June 12, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred Senate Bill No. 86, have had same under consideration, and beg leave to report same back to the Senate, with the recommendation that it do pass, and be printed in the Journal.

WESTBROOK, Chairman.

By Buchanan of Scurry S. B. No. 86.

A BILL

to be entitled

An Act to make an appropriation for the years 1920 and 1921 providing for expert cotton graders, classers and staplers, and expert market men to be employed by the Commissioner of Markets and Warehouses to aid and assist in stapling, grading and marketing the enormous stock of low grade cotton now held in the State by farmers, bankers and business men, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The Commissioner of Markets and Warehouses shall employ not to exceed five expert cotton classers, graders and staplers, whose duty it shall be under the direction of the Commissioner, to class, staple

and grade such cotton now in warehouses throughout the State with a view of determining its market value; such grades and staples to be assorted and classed under the direction of the Commissioner for the purpose of being offered for sale to buyers, shippers, and factory agents resident in the State and outside the State, wherever the best market can be obtained. It shall be the duty of the Commissioner to also employ not to exceed two expert market men, who are experienced in marketing problems and stationed in the principle markets of the State of Texas and at such place or places as the Commissioner in his best judgment may designate. Such expert market men to be entitled to the salary and expenses provided for in this Act and shall work under the direction of the Commissioner of Markets and Warehouses.

Sec. 2. For the purpose of carrying out the provisions of this Act the sum of eighteen thousand dollars (\$18,000.00) is hereby appropriated to pay the salary of five expert cotton classers, graders and staplers, salaries not to exceed thirty-six hundred dollars (\$3600.00) each, and the sum of nine thousand dollars (\$9,000.00) is hereby appropriated to pay their traveling expenses. For the purpose of employing two expert market men to work under the direction of the Commissioner of Markets and Warehouses, the sum of seventy-two hundred dollars (\$7200.00) is hereby appropriated. For the purpose of paying their traveling expenses the sum of thirty-six hundred dollars (\$3600.00) is hereby appropriated. The amount herein above appropriated shall only be available for experts in their profession and shall not be available to pay salaries of any other class of people and shall only be good for the period of one year from the date this act takes effect.

Section 3. The fact that there is now on hand in the hands of farmers, bankers, and business men in the State of Texas approximately one million bales of cotton for which there is practically no market at all, and the further fact that approximately eighty per cent of the cotton now carried is of the lower grade, which when sold is being sold at great loss to the farmers, bankers, and business men of the State who now own same,

and the further fact that if no market is provided for the cotton now on hand and unsold, it will greatly cripple practically every industry in the State of Texas, and the further fact that there is much of the low grade cotton on hand that is better than one inch in staple, which when graded and stapled can be sold for better prices than is now being realized, and the further fact of the near approach of the close of this session of the Legislature creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three separate days be suspended and this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, June 11, 1920.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Education to whom was referred Senate Bill No. 31 have had same under consideration and I am directed to report it favorably, with the recommendation that it do pass and be not printed, but that it be printed in the Journal, with committee amendment.

ALDERDICE, Chairman.

By Gibson by request. S. B. No. 31.

A BILL

to be entitled

An Act to amend Article 2578, Chapter 12, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, as amended by Senate Bill No. 28, Chapter 41, of the General Laws of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, relating to the salaries of county superintendents of public instruction, increasing the salaries and qualifications of said county superintendents, providing for office expenses, adding thereto Article 2758a, Article 2758b, and Article 2758c, extending the jurisdiction and control of county superintendents to independent school districts containing a scholastic population of five hundred or less and providing for appointments to fill unexpired terms, in case of vacancy, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2758, Chapter 12, Title 48 of the Revised

Civil Statutes of the State of Texas, 1911, as amended by Chapter 41 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, be so amended as hereafter to read as follows:

That the county superintendents of public instruction herein provided for shall receive from the available school fund of their respective counties annual salaries as follows:

In every county that has a scholastic population of 3,000 or less in which the office of county superintendent has been created or may be created after this Act shall have gone into effect, the county superintendent shall receive an annual salary of not less than two thousand (\$2,000.00) dollars.

In every county that has a scholastic population of 3,000 and less than 4,000, the county superintendent shall receive an annual salary of not less than twenty-two hundred (\$2,200.00) dollars.

In every county that has a scholastic population of 4,000 and less than 5,000, the county superintendent shall receive an annual salary of not less than twenty-four hundred (\$2,400.00) dollars.

In every county that has a scholastic population of 5000 and less than 6000, the county superintendent shall receive an annual salary of not less than Twenty-six Hundred (\$2,600.00) Dollars.

In every county that has a scholastic population of 6000 and less than 7000, the county superintendent shall receive an annual salary of not less than Twenty-eight Hundred (\$2,800.00) Dollars.

In every county that has a scholastic population of 7,000 and less than 8,000, the county superintendent shall receive an annual salary of not less than Three Thousand (\$3,000.00) Dollars.

In every county that has a scholastic population of 8,000 and less than 9,000, the county superintendent shall receive an annual salary of not less than Thirty-two Hundred (\$3,200.00) Dollars.

In every county that has a scholastic population of 9,000 and less than 10,000, the county superintendent shall receive an annual salary of not less than Thirty-four Hundred (\$3,400.00) Dollars.

In all counties that have a scholastic population of 10,000 or more,

the county superintendent shall receive an annual salary of not less than thirty-six hundred (\$3600.00) Dollars; provided, that in making the annual per capita apportionment to the schools, the county school trustees shall also make an annual allowance out of the State and county available funds for salary and expenses of the office of the county superintendent of public instruction, and the same shall be pro rated to the schools coming under the supervision of the county school superintendent. The compensation herein provided for shall be paid monthly upon the order of the county school trustees, provided, that the salary for the month of September shall not be paid until the county superintendent presents a receipt from the State Superintendent of Public Instruction showing that he has made all reports required of him.

The county board of trustees shall make further provision as it deems necessary for office and traveling expenses for the county superintendent of public instruction (and any assistant he may have; and the county board of trustees shall make provision for the employment of a competent office assistant for the county superintendent of public instruction, who shall, in addition to his other duties, act as attendance officer; and said board are hereby authorized to fix the salary of such assistant and pay the same out of the same funds which the salary and expenses of the county superintendent are paid. Provided, that in any county the county board of school trustees may fix the salary of the county superintendent of public instruction, when the board sees fit, at a greater amount than the minimum hereinbefore provided in this section.)

Article 2758a. A person to be eligible to hold the position of county superintendent of public instruction must be the holder of a permanent (not permanent primary) certificate, provided, that this provision shall not debar from the county superintendency, present incumbents, or applicants for the position now offering themselves, if such applicants shall, during the validity of the first-grade certificates which they now hold, raise the grade of such first-grade certificates to that of state permanent certificate; provided that, after December 1, 1922, all county superintendents, on first holding the

office, must be the holders of State permanent certificates.

Article 2758b. In case of the death, resignation, or removal from office, of the county superintendent, or in case, for any cause, said office becomes vacant, the county board of trustees is hereby given authority to appoint, and it is hereby made its duty to appoint, a county superintendent to fill the unexpired term of said office.

Article 2758c. The county superintendent of public instruction, in all counties where a county superintendent is elected or appointed, shall have jurisdiction and control over the affairs of all common school districts and all independent districts of five hundred scholastics or less, and shall exercise over them the powers and duties defined in Articles 2752 to 2757, inclusive of the Revised Statutes of the State of Texas, 1911, and such other laws, if any, as confer powers and jurisdiction on the county superintendents of public instruction.

All laws and parts of laws in conflict herewith are hereby repealed.

The fact that the increased cost of living has rendered the present salaries of county superintendents in Texas entirely insufficient to their needs, and that the meagerness of said salaries is inflicting a hardship upon such county superintendents and their families, creates an emergency and an imperative public necessity that the constitution rule requiring bills to be read on three several days be suspended, and that this Act shall be in force from and after its passage, and it is so enacted.

Committee Amendment.

Amend Senate Bill No. 31 by striking out all after the words "County Superintendent of Public Instruction" where they first occur in last paragraph of Article 2758 and add the words "not to exceed \$500.00 per year."

(Floor Report)

Senate Chamber,
Austin, Texas, June 12, 1920.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 101, A bill to be entitled "An Act to amend Articles 2425 and

2427 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 145 of the Acts of the Regular Session of the Thirty-sixth Legislature so as to authorize and require the State Treasurer to deposit funds authorized or required by law to be kept by the State Treasurer or in the State Treasury whether belonging to the State or not, in the State Depositories provided by law, and so as to provide that the interest derived therefrom shall be pro-rated to the several funds in the State Treasury in proportion to the amount of money in such funds, and declaring an emergency."

Have had the same under consideration and I am directed by said committee to report said bill back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

DEAN, Chairman.

By Suiter, Hopkins, Dean

S. B. No. 101.

A BILL

To be entitled

An Act to amend Articles 2425 and 2427 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 145 of the Acts of the Regular Session of the Thirty-sixth Legislature so as to authorize and require the State Treasurer to deposit funds authorized or required by law to be kept by the State Treasurer in the State Treasury whether belonging to the State or not, in the State Depositories provided by law, and so as to provide that the interest derived therefrom shall be pro-rated to the several funds in the State Treasury in proportion to the amount of money in such funds, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Articles 2425 and 2427 of the Revised Civil Statutes of the State of Texas of 1911 as amended by Chapter 145, Acts of the Regular Session of the Thirty-sixth Legislature be amended so as to hereafter read as follows:

Article 2425. After the depositories have qualified as provided in the preceding articles, it shall be the duty of the State Treasurer to deposit the funds belonging to the State, and the funds authorized or required by law to be kept by the State Treasurer or in the State Treasury, in such Depos-

itories and he shall at all times keep the funds in the bank or banks in the order of the rate of interest offered, so that the State shall receive the highest rate of interest possible on such funds; provided that the depositories selected in the beginning of a biennium shall retain their preference over depositories subsequently selected. No depository shall be entitled to keep on deposit more than its paid up capital stock, and permanent surplus. If the State Treasurer shall fail to deposit said funds in accordance with the provisions of this chapter, he shall be liable to the State for five per cent a month on the funds he fails to deposit; provided that he may retain in the State Treasury from time to time with the express consent of said board sufficient funds to meet the current demands on the treasury.

Article 2427. Any State Depository receiving State funds under the provisions of this chapter shall pay to the State Treasurer at the end of each month, interest on the average daily balances for said month at the rate of interest agreed on, which shall in no event be less than the rate of three per cent per annum, which interest shall be by the State Treasurer, pro-rated to the several funds in the State Treasury in the proportion to the amount of money in the several funds.

Section 2. The fact that under the present law certain funds which should be on deposit in the State Depositories, under the depository law, so that the public could get the benefit thereof, and the State can be relieved of part of the hazard of keeping such funds and can be in a measure compensated therefor, in interest, are required by law to be kept in the State Treasury, creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days and such rule is hereby suspended and this act shall take effect and be enforced from and after its passage, and it is so enacted.

TWENTIETH DAY.

Senate Chamber,

Austin, Texas,

Monday, June 14, 1920.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.